

1 AN ACT concerning the regulation of professions.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Private Detective, Private Alarm,
5 Private Security, and Locksmith Act of 1993 is amended by
6 changing Section 75 as follows:

7 (225 ILCS 446/75)

8 (Section scheduled to be repealed on December 31, 2003)

9 Sec. 75. Qualifications for licensure and agency
10 certification.

11 (a) Private Detective. A person is qualified to receive
12 a license as a private detective if he or she meets all of
13 the following requirements:

14 (1) Is at least 21 years of age.

15 (2) Has not been convicted in any jurisdiction of
16 any felony or at least 10 years have expired from the
17 time of discharge from any sentence imposed for a felony.

18 (3) Is of good moral character. Good character is
19 a continuing requirement of licensure. Conviction of
20 crimes not listed in paragraph (2) of subsection (a) of
21 this Section may be used in determining moral character,
22 but does not operate as an absolute bar to licensure.

23 (4) Has not been declared by any court of competent
24 jurisdiction to be incompetent by reason of mental or
25 physical defect or disease unless a court has since
26 declared him or her to be competent.

27 (5) Is not suffering from habitual drunkenness or
28 from narcotic addiction or dependence.

29 (6) Has a minimum of 3 years experience out of the
30 5 years immediately preceding his or her application
31 working full-time for a licensed private detective agency

1 as a registered private detective employee or with 3
2 years experience out of the 5 years immediately preceding
3 his or her application employed as a full-time
4 investigator for a licensed attorney or in a law
5 enforcement agency of a federal or State political
6 subdivision, which shall include a State's Attorney's
7 office or a Public Defender's office, such full-time
8 investigator experience to be approved by the Board and
9 the Department. An applicant who has obtained a
10 baccalaureate degree in police science or a related field
11 or a business degree from an accredited college or
12 university shall be given credit for 2 of the 3 years
13 experience required under this Section. An applicant who
14 has obtained an associate degree in police science or a
15 related field or in business from an accredited college
16 or university shall be given credit for one of the 3
17 years experience required under this Section.

18 (7) Has not been dishonorably discharged from the
19 armed services of the United States.

20 (8) Has successfully passed an examination
21 authorized by the Department. The examination shall
22 include subjects reasonably related to the activities
23 licensed so as to provide for the protection of the
24 health and safety of the public.

25 (9) Has not violated Section 15, 20, or 25 of this
26 Act, but this requirement does not operate as an absolute
27 bar to licensure.

28 It is the responsibility of the applicant to obtain
29 liability insurance in an amount and coverage type
30 appropriate as determined by rule for the applicant's
31 individual business circumstances. The applicant shall
32 provide evidence of insurance to the Department before being
33 issued a license. This insurance requirement is a continuing
34 requirement for licensure. Failure to maintain insurance

1 shall result in cancellation of the license by the
2 Department.

3 (b) Private security contractor. A person is qualified
4 to receive a license as a private security contractor if he
5 or she meets all of the following requirements:

6 (1) Is at least 21 years of age.

7 (2) Has not been convicted in any jurisdiction of
8 any felony or at least 10 years have expired from the
9 time of discharge from any sentence imposed for a felony.

10 (3) Is of good moral character. Good moral
11 character is a continuing requirement of licensure.
12 Convictions of crimes not listed in paragraph (2) of
13 subsection (b) of this Section may be used in determining
14 moral character, but do not operate as an absolute bar to
15 licensure.

16 (4) Has not been declared by any court of competent
17 jurisdiction to be incompetent by reason of mental or
18 physical defect or disease unless a court has since
19 declared him or her to be competent.

20 (5) Is not suffering from habitual drunkenness or
21 from narcotic addiction or dependence.

22 (6) Has a minimum of 3 years experience out of the
23 5 years immediately preceding his or her application as a
24 full-time manager or administrator for a licensed private
25 security contractor agency or a manager or administrator
26 of a proprietary security force of 30 or more persons
27 registered with the Department, or with 3 years
28 experience out of the 5 years immediately preceding his
29 or her application as a full-time supervisor in a law
30 enforcement agency of a federal or State political
31 subdivision, which shall include a State's Attorney's
32 office or Public Defender's office, such full-time
33 supervisory experience to be approved by the Board and
34 the Department. An applicant who has obtained a

1 baccalaureate degree in police science or a related field
2 or a business degree from an accredited college or
3 university shall be given credit for 2 of the 3 years
4 experience required under this Section. An applicant who
5 has obtained an associate degree in police science or a
6 related field or in business from an accredited college
7 or university shall be given credit for one of the 3
8 years experience required under this Section.

9 (7) Has not been dishonorably discharged from the
10 armed services of the United States.

11 (8) Has successfully passed an examination
12 authorized by the Department. The examination shall
13 include subjects reasonably related to the activities
14 licensed so as to provide for the protection of the
15 health and safety of the public.

16 (9) Has not violated Section 15, 20, or 25 of this
17 Act, but this requirement does not operate as an absolute
18 bar to licensure.

19 It is the responsibility of the applicant to obtain
20 liability insurance in amount and coverage type appropriate
21 as determined by rule for the applicant's individual business
22 circumstances. The applicant shall provide evidence of
23 insurance to the Department before being issued a license.
24 This insurance requirement is a continuing requirement for
25 licensure. Failure to maintain insurance shall result in
26 cancellation of the license by the Department.

27 (c) Private alarm contractor. A person is qualified to
28 receive a license as a private alarm contractor if he or she
29 meets all of the following requirements:

30 (1) Is at least 21 years of age.

31 (2) Has not been convicted in any jurisdiction of
32 any felony or at least 10 years have expired from the
33 time of discharge from any sentence imposed for a felony.

34 (3) Is of good moral character. Good moral

1 character is a continuing requirement of licensure.
2 Convictions of crimes not listed in paragraph (2) of
3 subsection (c) of this Section may be used in determining
4 moral character, but do not operate as an absolute bar to
5 licensure.

6 (4) Has not been declared by any court of competent
7 jurisdiction to be incompetent by reason of mental or
8 physical defect or disease unless a court has since
9 declared him or her to be competent.

10 (5) Is not suffering from habitual drunkenness or
11 from narcotic addiction or dependence.

12 (6) Has not been dishonorably discharged from the
13 armed services of the United States.

14 (7) Has a minimum of 3 years experience out of the
15 5 years immediately preceding application as a full time
16 manager or administrator for an agency licensed as a
17 private alarm contractor agency, or for an entity that
18 designs, sells, installs, services, or monitors alarm
19 systems which in the judgment of the Board satisfies
20 standards of alarm industry competence. An individual
21 who has received a 4 year degree in electrical
22 engineering or a related field from a program approved by
23 the Board shall be given credit for 2 years of experience
24 under this item (7). An individual who has successfully
25 completed a national certification program approved by
26 the Board shall be given credit for one year of
27 experience under this item (7).

28 (8) Has successfully passed an examination
29 authorized by the Department. The examination shall
30 include subjects reasonably related to the activities
31 licensed so as to provide for the protection of the
32 health and safety of the public.

33 (9) Has not violated Section 15, 20, or 25 of this
34 Act, but this requirement does not operate as an absolute

1 bar to licensure.

2 It is the responsibility of the applicant to obtain
3 liability insurance in an amount and coverage type
4 appropriate as determined by rule for the applicant's
5 individual business circumstances. The applicant shall
6 provide evidence of insurance to the Department before being
7 issued a license. This insurance requirement is a continuing
8 requirement for licensure. Failure to maintain insurance
9 shall result in cancellation of the license by the
10 Department.

11 Alternatively, a person is qualified to receive a license
12 as a private alarm contractor without meeting the
13 requirements of items (7), (8), and (9) of this subsection,
14 if he or she:

15 (i) applies for a license between September 2, 2002
16 ~~July--17--2000~~ and September 5, 2002 ~~August-317-2000~~, in
17 writing, on forms supplied by the Department;

18 (ii) provides proof to the Department that he or
19 she was engaged in the alarm contracting business on or
20 before July 1, 1975 ~~January-17-1984~~;

21 (iii) submits the photographs, fingerprints, proof
22 of insurance, and current license fee required by the
23 Department; and

24 (iv) has not violated Section 25 of this Act; ~~and-~~

25 (v) has held a Permanent Employee Registration Card
26 for a minimum of 12 months.

27 (d) Locksmith. A person is qualified to receive a
28 license as a locksmith if he or she meets all of the
29 following requirements:

30 (1) Is at least 18 years of age.

31 (2) Has not violated any provisions of Section 120
32 of this Act.

33 (3) Has not been convicted in any jurisdiction of
34 any felony or at least 10 years have expired from the

1 time of discharge from any sentence imposed for a felony.

2 (4) Is of good moral character. Good moral
3 character is a continuing requirement of licensure.
4 Convictions of crimes not listed in paragraph (3) of
5 subsection (d) of this Section may be used in determining
6 moral character, but do not operate as an absolute bar to
7 licensure.

8 (5) Has not been declared by any court of competent
9 jurisdiction to be incompetent by reason of mental or
10 physical defect or disease unless a court has since
11 declared him or her to be competent.

12 (6) Is not suffering from habitual drunkenness or
13 from narcotic addiction or dependence.

14 (7) Has not been dishonorably discharged from the
15 armed services of the United States.

16 (8) Has passed an examination authorized by the
17 Department in the theory and practice of the profession.

18 (9) Has submitted to the Department proof of
19 insurance sufficient for the individual's business
20 circumstances. The Department, with input from the
21 Board, shall promulgate rules specifying minimum
22 insurance requirements. This insurance requirement is a
23 continuing requirement for licensure. Failure to
24 maintain insurance shall result in the cancellation of
25 the license by the Department. A locksmith employed by a
26 licensed locksmith agency or employed by a private
27 concern may provide proof that his or her actions as a
28 locksmith are covered by the insurance of his or her
29 employer.

30 (e) Private detective agency. Upon payment of the
31 required fee and proof that the applicant has a full-time
32 Illinois licensed private detective in charge, which is a
33 continuing requirement for agency certification, the
34 Department shall issue, without examination, a certificate as

1 a private detective agency to any of the following:

2 (1) An individual who submits an application in
3 writing and who is a licensed private detective under
4 this Act.

5 (2) A firm or association that submits an
6 application in writing and all of the members of the firm
7 or association are licensed private detectives under this
8 Act.

9 (3) A duly incorporated or registered corporation
10 allowed to do business in Illinois that is authorized by
11 its articles of incorporation to engage in the business
12 of conducting a detective agency, provided at least one
13 officer or executive employee is licensed as a private
14 detective under this Act and all unlicensed officers and
15 directors of the corporation are determined by the
16 Department to be persons of good moral character.

17 No private detective may be the private detective in
18 charge for more than one agency. Upon written request by a
19 representative of an agency within 10 days after the loss of
20 a licensee in charge of an agency because of the death of
21 that individual or because of an unanticipated termination of
22 the employment of that individual, the Department shall issue
23 a temporary permit allowing the continuing operation of a
24 previously licensed agency. No temporary permit shall be
25 valid for more than 90 days. An extension of an additional
26 90 days may be granted by the Department for good cause shown
27 upon written request by the representative of the agency. No
28 more than 2 extensions may be granted to any agency. No
29 temporary permit shall be issued for the loss of the
30 detective in charge because of disciplinary action by the
31 Department.

32 (f) Private alarm contractor agency. Upon receipt of
33 the required fee and proof that the applicant has a full-time
34 Illinois licensed private alarm contractor in charge, which

1 is a continuing requirement for agency certification, the
2 Department shall issue, without examination, a certificate as
3 a private alarm contractor agency to any of the following:

4 (1) An individual who submits an application in
5 writing and who is a licensed private alarm contractor
6 under this Act.

7 (2) A firm or association that submits an
8 application in writing that all of the members of the
9 firm or association are licensed private alarm
10 contractors under this Act.

11 (3) A duly incorporated or registered corporation
12 allowed to do business in Illinois that is authorized by
13 its articles of incorporation to engage in the business
14 of conducting a private alarm contractor agency, provided
15 at least one officer or executive employee is licensed as
16 a private alarm contractor under this Act and all
17 unlicensed officers and directors of the corporation are
18 determined by the Department to be persons of good moral
19 character.

20 No private alarm contractor may be the private alarm
21 contractor in charge for more than one agency. Upon written
22 request by a representative of an agency within 10 days after
23 the loss of a licensed private alarm contractor in charge of
24 an agency because of the death of that individual or because
25 of the unanticipated termination of the employment of that
26 individual, the Department shall issue a temporary permit
27 allowing the continuing operation of a previously licensed
28 agency. No temporary permit shall be valid for more than 90
29 days. An extension of an additional 90 days may be granted
30 by the Department for good cause shown and upon written
31 request by the representative of the agency. No more than 2
32 extensions may be granted to any agency. No temporary permit
33 shall be issued for the loss of the licensee in charge
34 because of disciplinary action by the Department.

1 (g) Private security contractor agency. Upon receipt of
2 the required fee and proof that the applicant has a full-time
3 Illinois licensed private security contractor in charge,
4 which is continuing requirement for agency certification, the
5 Department shall issue, without examination, a certificate as
6 a private security contractor agency to any of the following:

7 (1) An individual who submits an application in
8 writing and who is a licensed private security contractor
9 under this Act.

10 (2) A firm or association that submits an
11 application in writing that all of the members are
12 licensed private security contractors under this Act.

13 (3) A duly incorporated or registered corporation
14 allowed to do business in Illinois that is authorized by
15 its articles of incorporation to engage in the business
16 of conducting a private security contractor agency,
17 provided at least one officer or executive employee is
18 licensed as a private security contractor under this Act
19 and all unlicensed officers and directors of the
20 corporation are determined by the Department to be
21 persons of good moral character.

22 No private security contractor may be the private
23 security contractor in charge for more than one agency. Upon
24 written request by a representative of the agency within 10
25 days after the loss of a licensee in charge of an agency
26 because of the death of that individual or because of the
27 unanticipated termination of the employment of that
28 individual, the Department shall issue a temporary permit
29 allowing the continuing operation of a previously licensed
30 agency. No temporary permit shall be valid for more than 90
31 days. An extension of an additional 90 days may be granted
32 upon written request by the representative of the agency. No
33 more than 2 extensions may be granted to any agency. No
34 temporary permit shall be issued for the loss of the licensee

1 in charge because of disciplinary action by the Department.

2 (h) Licensed locksmith agency. Upon receipt of the
3 required fee and proof that the applicant is an Illinois
4 licensed locksmith who shall assume full responsibility for
5 the operation of the agency and the directed actions of the
6 agency's employees, which is a continuing requirement for
7 agency licensure, the Department shall issue, without
8 examination, a certificate as a Locksmith Agency to any of
9 the following:

10 (1) An individual who submits an application in
11 writing and who is a licensed locksmith under this Act.

12 (2) A firm or association that submits an
13 application in writing and certifies that all of the
14 members of the firm or association are licensed
15 locksmiths under this Act.

16 (3) A duly incorporated or registered corporation
17 or limited liability company allowed to do business in
18 Illinois that is authorized by its articles of
19 incorporation or organization to engage in the business
20 of conducting a locksmith agency, provided that at least
21 one officer or executive employee of a corporation or one
22 member of a limited liability company is licensed as a
23 locksmith under this Act, and provided that person agrees
24 in writing on a form acceptable to the Department to
25 assume full responsibility for the operation of the
26 agency and the directed actions of the agency's
27 employees, and further provided that all unlicensed
28 officers and directors of the corporation or members of
29 the limited liability company are determined by the
30 Department to be persons of good moral character.

31 An individual licensed locksmith operating under a
32 business name other than the licensed locksmith's own name
33 shall not be required to obtain a locksmith agency license if
34 that licensed locksmith does not employ any persons to engage

1 in the practice of locksmithing.

2 An applicant for licensure as a locksmith agency shall
3 submit to the Department proof of insurance sufficient for
4 the agency's business circumstances. The Department shall
5 promulgate rules specifying minimum insurance requirements.
6 This insurance requirement is a continuing requirement for
7 licensure.

8 No licensed locksmith may be the licensed locksmith
9 responsible for the operation of more than one agency except
10 for any individual who submits proof to the Department that,
11 on the effective date of this amendatory Act of 1995, he or
12 she is actively responsible for the operations of more than
13 one agency. A licensed private alarm contractor who is
14 responsible for the operation of a licensed private alarm
15 contractor agency and who is a licensed locksmith may also be
16 the licensed locksmith responsible for the operation of a
17 locksmith agency.

18 Upon written request by a representative of an agency
19 within 10 days after the loss of a responsible licensed
20 locksmith of an agency, because of the death of that
21 individual or because of the unanticipated termination of the
22 employment of that individual, the Department shall issue a
23 temporary permit allowing the continuing operation of a
24 previously licensed locksmith agency. No temporary permit
25 shall be valid for more than 90 days. An extension for an
26 additional 90 days may be granted by the Department for good
27 cause shown and upon written request by a representative of
28 the agency. No more than 2 extensions may be granted to any
29 agency. No temporary permit shall be issued to any agency
30 due to the loss of the responsible locksmith because of
31 disciplinary action by the Department.

32 (i) Proprietary Security Force. All commercial or
33 industrial operations that employ 5 or more persons as armed
34 security guards and all financial institutions that employ

1 armed security guards shall register their security forces
2 with the Department on forms provided by the Department.

3 All armed security guard employees of the registered
4 proprietary security force shall be required to complete a
5 20-hour basic training course and 20-hour firearm training
6 course in accordance with administrative rules.

7 Each proprietary security force shall be required to
8 apply to the Department, on forms supplied by the Department,
9 for the issuance of a firearm authorization card, in
10 accordance with administrative rules, for each armed employee
11 of the security force.

12 The Department shall prescribe rules for the
13 administration of this Section.

14 (j) Any licensed agency that operates a branch office as
15 defined in this Act shall apply for a branch office license.

16 (Source: P.A. 90-436, eff. 1-1-98; 90-580, eff. 5-21-98;
17 90-602, eff. 6-26-98; 91-357, eff. 7-29-99; 91-815, eff.
18 6-13-00.)

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.